

630 630 UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:	)	CHAPTER 11
	)	(Subchapter V)
Ford City Condominium Association,	)	Case No. 21-05193
)	
Debtor.	)	Judge Deborah L. Thorne

NOTICE OF MOTION

TO: ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on the **19th of March, 2025 at the hour of 1:00 p.m.**, or as soon thereafter as counsel can be heard, I shall appear before the Honorable Deborah L. Thorne, Bankruptcy Judge, or before any other Judge who may be sitting in Judge Thorne's place, and present the **Second and Final Fee Application of the Firm of Crane, Simon, Clar & Goodman, as Counsel for the Debtor** pursuant to §§ 330 and 331 of the Bankruptcy Code, a copy of which is attached hereto and herewith served upon you.

Important: Only parties and their counsel may appear for presentment of the motion electronically using Zoom Government. All others must appear in person.

To appear by Zoom using the internet, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by Zoom using a telephone, (1) call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID. There is no password.

Meeting ID and password. The meeting ID for this hearing is **160 9362 1728**. The meeting ID can also be found on the judge's page on the court's web site.

To reach Judge Thorne's web page go to www.ilnb.uscourts.gov and click on the tab for Judges.

If you object to this motion and want it called on the presentment date above, you may file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

/s/Scott R. Clar
Crane, Simon, Clar & Goodman
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CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath deposes and states that he caused a copy of the foregoing Notice and attached Motion to be served on all parties listed with an asterisk (*) on the attached Service List via the Court's Electronic Registration/email (as indicated) and the Notice of Hearing on all other parties via first class mail, on the 26th day of February 2025 before the hour of 5:00 p.m.

/s/ Scott R. Clar

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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:	)	CHAPTER 11
	)	(Subchapter V)
Ford City Condominium Association,	)	Case No. 21-05193
)	
Debtor.	)	Judge Deborah L. Thorne

NOTICE OF HEARING

TO: ALL CREDITORS AND PARTIES IN INTEREST:

PLEASE TAKE NOTICE that on the **19th day of February 2025**, Crane, Simon, Clar & Goodman, Debtor's Counsel, filed a Second and Final Fee Application (the "Motion"), thereby requesting the sum of \$17,992.00 for legal services rendered to the Debtor for the period September 11, 2021 through and including February 5, 2025, plus costs advanced for the same period in the sum of \$865.70. Copies of the Motion may be obtained by request of Debtor's counsel.

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion, together with objections timely filed, if any, will be held on **March 19, 2025 at 1:00 p.m.**, or as soon thereafter as counsel can be heard, I shall appear before the Honorable Deborah L. Thorne, Bankruptcy Judge.

Important: Only parties and their counsel may appear for presentment of the motion electronically using Zoom Government. All others must appear in person.

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/s/Scott R. Clar
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(312) 641-6777

Form G-8

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re Ford City Condominium Association)
)
) Bankruptcy No. 21-05193
)
 Debtor.) Chapter 11

COVER SHEET FOR APPLICATION FOR PROFESSIONAL COMPENSATION
(IN CASES UNDER CHAPTERS 7, 11 AND 12)

Name of Applicant: Crane, Simon, Clar & Goodman

Authorized to Provide Professional Services to: Debtor

Date of Order Authorizing Employment: June 21 2021

Period for Which Compensation is Sought:
From September 11, 2021 through February 5, 2025

Amount of Fees Sought: \$ 17,992.00

Amount of Expense Reimbursement Sought: \$ 865.70

This is an: Interim Application _____ Final Application ✓

If this is *not* the first application filed herein by this professional, disclose as to all prior fee applications:

<u>Date Filed</u>	<u>Period Covered</u>	<u>Total Requested (Fees & Expenses)</u>	<u>Total Allowed (Fees & Expenses)</u>	<u>Fees & Expenses Previously Paid</u>
9/21/21	6-21-21 - 9-10-21	\$51,247.16	\$51,247.16	\$51,247.16

Dated: 2/26/25

/s/Scott R. Clar
(Counsel)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:	)	CHAPTER 11
	)	(Subchapter V)
Ford City Condominium Association,	)	Case No. 21-05193
)	
Debtor.	)	Judge Deborah L. Thorne

**SECOND AND FINAL FEE APPLICATION OF THE FIRM
OF CRANE, SIMON, CLAR & GOODMAN, AS COUNSEL FOR THE DEBTOR**

CRANE, SIMON, CLAR & GOODMAN, counsel for Ford City Condominium Association, Subchapter V debtor/debtor in possession herein ("Debtor"), and for its motion pursuant to §§ 330 and 331 of the Bankruptcy Code for Second and Final Allowance and Payment of Compensation and Reimbursement of Expenses, as Counsel for the Debtor (the "Motion"), respectfully states as follows:

INTRODUCTION

1. On April 20, 2021 (the "Petition Date"), the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.
2. The Debtor was authorized to continue to operate its business and manage its properties as a debtor in possession pursuant to sections 1184 and 1187 of the Bankruptcy Code, until September 2, 2021, when an Order was entered on the Motion of the Office of the United States Trustee, removing the Debtor as debtor-in-possession pursuant to 11 U.S.C. § 1183, and appointing William Avellone, the appointed Subchapter V trustee (the "Trustee"), as trustee to perform the Debtor's duties as debtor in possession (the "Removal").

3. This Court has jurisdiction over the Motion pursuant to 28 U.S.C. Sections 157 and 1334. Venue lies properly in this Court pursuant to 28 U.S.C. Sections 1408 and 1409. This matter is a “core” proceeding pursuant to 28 U.S.C. Sections 157(b).

4. The statutory predicates for the relief requested in this Motion are §§ 330 and 331 of the Bankruptcy Code.

Relevant Factual Background

5. The Debtor is a not-for-profit condominium association located at 4300 West Ford City Drive, Chicago, Illinois on a contiguous parcel of real property with the Ford City Mall. The Debtor acts as the governing body regarding administration and operation for all condominium unit owners in the Ford City Condominium.

6. The Debtor’s Subchapter V Chapter 11 case was filed in order to take advantage of the automatic restraining provisions of Section 362 of the Bankruptcy Code, with respect to pending litigation against the Debtor.

Employment of CSCG

7. On June 21, 2021, this Court entered an Order authorizing the Debtor to employ Crane, Simon, Clar & Goodman (“CSCG”) as bankruptcy counsel. CSCG requested, was granted and received a \$35,000 post-petition retainer (the “Retainer”)

8. In addition to the Retainer, CSCG was awarded the sum of \$15,964.84 pursuant to its First Interim Application (the “First Interim Award”).

9. The Removal effectively paused CSCG’s representation of the Debtor, until the Trustee and his counsel drafted and needed to file and confirm a plan of

liquidation on behalf of the Debtor. CSCG, as counsel for the Debtor, once again provided services to the Trustee and the Debtor, including confirmation of the plan.

9. A first motion for fees was filed on September 21, 2021, requesting an allowance of interim allowance of interim compensation and reimbursement of expenses in the amounts of \$51,106.00 and \$141.16, respectively for the period commencing June 8, 2021 through September 10, 2021. The interim fee was approved by the Court on October 21, 2021 in the amount of \$51,247.16 less the \$35,000 pre-petition retainer 2021 (the "Interim Fee Award"). CSCG was paid \$16,247.16 on November 23, 2021.

10. By this Motion, CSCG requests allowance of final compensation and reimbursement of expenses in the amounts of \$17,992 and \$865.70, respectively for the period commencing September 11, 2021, through and including February 5, 2025, and a direction for the Debtor to pay fees and expenses allowed in excess of the pre-petition retainer and the Interim Fee Award.

11. Time spent in the Debtor's Chapter 11 case has been in connection with the categories described herein. Most recently, the majority of time spent has been in connection with the Debtor's Plan of Liquidation, which has been confirmed by this Court. The time previously spent in the Debtor's Chapter 11 case has related, *inter alia*, to assisting the Debtor in matters concerning the administration of the Debtor's Subchapter V, Chapter 11 case, including amendments to the Debtor's schedules and statement of financial affairs, negotiating resolution of a motion to provide adequate assurance filed by Ford City Mall, the Debtor's water provider, filing motions for turnover with respect to property of the Debtor's estate, resulting in approximately \$36,000

turned over to the Debtor, multiple dealings with unit owners concerning unit owners' maintenance and other concerns, and filing of a preference and/or unauthorized post-petition payment complaint against a former attorney for the Debtor to recover \$25,125.

CSCG Biographical Information

12. CSCG is a law firm whose practice is almost exclusively concentrated in the fields of bankruptcy, insolvency and commercial matters. The firm is comprised of four (4) attorneys, all of whom have significant experience and expertise in the law firm's area of concentration. The following is certain biographical information pertaining to Scott R. Clar, the member of the law firm who has rendered the majority of the services in the Debtor's Subchapter V, Chapter 11 case.

SCOTT R. CLAR

Scott R. Clar is a member of the law firm of Crane, Simon, Clar & Goodman, and has been a practicing attorney in the State of Illinois since 1982. He has been primarily responsible for the representation of the Debtor in this case. From January 1985, through September 1986, he was employed as a staff attorney with the United States Trustee's Office in the Northern District of Illinois, where he administered over 200 Chapter 11 cases, as well as supervised Chapter 7 panel trustees. In January 1988, he became associated with Dannen, Crane, Heyman & Simon, predecessor to CHSWC, CSCD and CSCG, and became a partner in 1994. His practice is concentrated in the field of bankruptcy, having represented Chapter 7 and Chapter 11 debtors, trustees, unsecured creditors' committees and individual creditors. Mr. Clar has been a panel member and a moderator for several bar association-sponsored bankruptcy seminars.

He is a member of the Federal Trial Bar, and he is a former Chairman of the Chicago Bar Association Committee on Bankruptcy and Reorganization.

Mr. Clar has long been recognized as a "Leading Lawyer" in the field of Bankruptcy and Workout Law: Commercial by the Illinois Leading Lawyers publication.

13. The hourly rates charged by CSCG for legal services rendered in this bankruptcy case are as follows:

<u>Attorney</u>	<u>Rate</u>
Arthur G. Simon ("AGS")	\$520.00
Scott R. Clar ("SRC")	\$520.00
Karen R. Goodman ("KRG")	\$520.00
John H. Redfield ("JHR") (of counsel)	\$400.00

These hourly rates are the customary and usual rates which CSCG charges clients on matters of this nature.

14. The total time expended by CSCG attorneys in connection with this Subchapter V Chapter 11 case during the period commencing September 11, 2021, through and including February 5, 2025, is as follows:

<u>Attorney</u>	<u>Hours</u>	<u>Amount</u>
Scott R. Clar (SRC)	34.6	\$17,992.00
Total	34.6	\$17,992.00

LEGAL SERVICES RENDERED

Legal services rendered by CSCG, as more fully described in **Exhibits A through G**, have been divided into the following categories:

A. General Administration

Legal services rendered in this case category include the preparation and presentation of motions with respect to

administration of the case, including an employment motion, preparation of amendments to schedules and statement of financial affairs and attendance at a continued first meeting of creditors.

Total Time Expended: 2.5 hours

<u>Attorney</u>	<u>Hours</u>	<u>Amount</u>
Scott R. Clar ("SRC")	2.5	\$1,300.00
Total	2.5	\$1,300.00

Attached to this Motion as **Exhibit "A"** is an itemization of the legal services rendered in his category.

B. Water Bill Issues

CSCG spent time in connection with the Motion of Ford City Mall to provide adequate assurance in connection with water provided to the Debtor and its unit owners. Ford City Mall has filed a proof of claim in the Debtor's Subchapter V, Chapter 11 case, claiming \$1 million is owed by the Debtor pre-petition for water services, CSCG negotiated an agreed order with the Ford City Mall to ensure uninterrupted water services to the unit owners.

Total Time Expended: 1.0 hours

<u>Attorney</u>	<u>Hours</u>	<u>Amount</u>
Scott R. Clar ("SRC")	1.0	<u>\$520.00</u>
Total	1.0	\$520.00

Attached to this Motion as **Exhibit "B"** is an itemization of the legal services rendered in this category.

C. Interaction with Unit Owners

CSCG has communicated on multiple occasions with unit owners telephonically and by email, and has participated in a zoom call with unit owners who addressed their concerns in connection with a variety of issues, most notably the Debtor's bankruptcy case, and the plan of liquidation.

Total Time Expended: 7.8 hours

<u>Attorney</u>	<u>Hours</u>	<u>Amount</u>
Scott R. Clar ("SRC")	7.8	<u>\$4,056.00</u>
Total	7.8	\$4,056.00

Attached to this Motion as **Exhibit "C"** is an itemization of the legal services rendered in this category.

D. **Unpaid Assessments**

CSCG expended services for the Debtor in connection with analyzing documentation in connection with a fire loss in one of the Debtor's buildings, pertaining to two (2) units and a portion of 11 floors of the common area of that building. Services included review and analysis of estimates of repair and allocation to individual units and the common area. The Debtor received insurance proceeds to cover the losses.

Total Time Expended: .5 hours

<u>Attorney</u>	<u>Hours</u>	<u>Amount</u>
Scott R. Clar ("SRC")	.5	\$260.00
Total	. 5	\$260.00

Attached to this Motion as **Exhibit "D"** is an itemization of the legal services rendered in this category.

E. **Plan**

CSCG provided services to the Debtor in connection with the filing and confirmation of a plan of liquidation.

Total Time Expended: 17.8 hours

<u>Attorney</u>	<u>Hours</u>	<u>Amount</u>
Scott R. Clar ("SRC")	17.8	<u>\$9,256.00</u>

Total	17.8	\$9,256.00
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Attached to this Motion as **Exhibit "E"** is an itemization of the legal services rendered in this category.

F. **Turnover**

CSCG investigated and filed motions for turnover against Wilmington Savings (\$36,000), three (3) unit owners (approximately \$16,000), and Andrew Bartucci and Foresite Realty (approximately \$57,000), to recover assessments held by a law firm representing Wilmington Savings, payments made by unit owners to the water receiver for water provided, and assessments held by an attorney for certain unit owners. These services have resulted in the turnover of approximately \$36,000 to the Debtor, and a reduction in the Debtor's post-petition water bill of approximately \$45,000.

Total Time Expended: 1.5 hours

<u>Attorney</u>	<u>Hours</u>	<u>Amount</u>
Scott R. Clar ("SRC")	1.5	<u>\$780.00</u>
Total	1.5	\$780.00

Attached to this Motion as **Exhibit "F"** is an itemization of the legal services rendered in this category.

G. **Fee Application**

CSCG has provided services in connection with this Motion.

Total Time Expended: 3.5 hours

<u>Attorney</u>	<u>Hours</u>	<u>Amount</u>
Scott R. Clar ("SRC")	3.5	<u>\$1,820.00</u>
Total	3.5	\$1,820.00

Attached to this Motion as **Exhibit "G"** is an itemization of the legal services rendered in this category.

EXPENSES INCURRED

18. During the course of the representation of the Debtor, CSCG has incurred necessary expenses for which reimbursement is sought. The total amount of these expenses for the period commencing September 11, 2021, through and including February 5, 2025, is \$865.70. Attached to this motion as **Exhibit H** is an itemization of the expenses incurred.

CONCLUSION

19. Other than as provided in Section 504(b) of the Bankruptcy Code, CSCG has not shared, or agreed to share, any compensation received as a result of this case with any person, firm or entity. No promises concerning compensation have been made to CSCG by any person, firm or entity.

20. CSCG asserts that the compensation requested in this Motion is reasonable compensation for the actual and necessary legal services rendered, based upon the time, nature, extent and value of such legal services. CSCG further asserts that the cost of legal services rendered for and on behalf of the Debtor is comparable to the cost of similar services in matters other than under the Bankruptcy Code.

21. CSCG asserts that the expenses for which reimbursement is sought in this Motion are reasonable and were actual and necessary expenditures required in the representation of the Debtors.

WHEREFORE, for the foregoing reasons, Scott R. Clar and the law firm of Crane, Simon, Clar & Goodman, counsel for the Debtor, prays for the entry of an order pursuant to Sections 330 and 331 of the Bankruptcy Code, as follows:

a) Allowing final compensation and reimbursement of expenses to CSCG in the amounts of \$51,247.16 in the Interim Fee Award; and second and final compensation and reimbursement of expenses to CSCG in the amounts of \$17,992.00 and \$865.70, respectively for services provided from the period commencing September 11, 2021, through and including February 5, 2025;

b) Authorizing payment by the Debtor to CSCG of any fees incurred in excess of any fee incurred in excess of the pre-petition retainer and Interim Fee Award received by CSCG; and

c) Granting such other relief as may be just and equitable.

Respectfully submitted,

CRANE, SIMON, CLAR & GOODMAN

By: /s/Scott R. Clar
One of its attorneys

DEBTOR'S COUNSEL:

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